

1900-034  
Lee Co.

Chancery Causes: E. L. Maness vs. R. B. Maness

Johnson, Cluseman, Kluesman 1880-1890 Located at 14.

CA-Divorce  
T-Vices



To the Hon. H. A. W. Skeen, Judge of  
the Circuit Court of Lee County.  
Your orator, E. L. Maness, humbly com-  
plaining would respectfully shew unto the  
court that he is now, and has been a citizen  
of this state for more than twelve months, prior  
to, and next preceding the institution of this  
suit; that on the day of 189- he was  
legally wedded, in the bonds of matrimony, to one  
R. B. Maness, nee Johnson, that she was to  
her a kind and indulgent husband; but  
that notwithstanding your orators kindness and  
indulgence to her, she has totally disregarded  
her duties as a wife, and voluntarily deserted  
your orator, and without your orators  
consent and connivance she has within  
the past five years committed adultery, and  
is now leading a life of shame and prostitution.  
Your orator avers that he has not cohabited  
with her since he learned of her adultery.  
In consideration whereof, and for as much as  
your orator is remediless save in a court of equity,  
he prays that the said R. B. Maness, nee Johnson  
may be made a defendant to this bill, and be  
required to answer the same but not upon  
oath, that being expressly waived, that proper  
process issue; that your orator may be divorced  
from the said R. B. Maness a vinculo Matrimonii  
and that all such other <sup>further</sup> and general relief  
may be afforded to your orator as may be just  
and right in the premises. And your orator will ever  
pray etc.

J. C. Noel p. q.



E. L. Maness Off.  
vs { Bill in Chanc.

R. B. Maness Deft.

1900. 1st January rules Bill  
filed Order of Publication  
& Contd

" 2nd Jan'y rules Contd for  
Ord Pub

" 1st Feby rules O. P. Complete  
& Cause set for hearing

March 5th 1900 Decree  
final See Order Book  
No 6 Page 349 & 350

90 to 00

M-



E. L. Maness, Pff

<sup>as</sup>  
R. B. Maness, Deft.

This cause came on this 5<sup>th</sup> day of March 1900, to be finally heard. Upon the plaintiffs bill and the depositions and other papers filed in said cause, and the defendant who is not a resident of this state and against whom the complainant appears to have proceeded in the manner prescribed by law against absent defendants still failing to appear, and demur or answer, on motion of the complainant, by counsel, the court doth set the cause for hearing as to the said defendant; and it appearing to the court from the evidence in the cause in defendant of the complainant's bill, that the said complainant is entitled to relief; it is therefore adjudged, ordered and decreed that the bond of matrimony heretofore made and entered <sup>and existing</sup> into, between the said complainant and defendant, be and is hereby, forever dissolved and annulled, and it is further adjudged ordered and decreed that the said complainant recover of said defendant his cost in this cause expended and this cause is struck from the docket.



E. L. Mares  
vs Deer final  
~~R. B. Mares~~

Entered in Chancery  
order Book No 6 P 349

Entered  
H. O. W. Stark  
5/5/1900



The depositions of B. Bluseman

1  
2  
3 taken before J. F. Skaggs a justice of the  
4 peace in and for the County of Lee, at the law  
5 office of J. C. Noel in the town of Pennington  
6 Gap in said county, on the 23 day of February  
7 1900, it appearing that full 15 days having elapsed  
8 since the completion of the order of publication of notice  
9 of the object of this suit and the defendant  
10 not appearing to defend her interest therein, to  
11 be read in evidence in behalf of E. L. Maness  
12 the plaintiff in a certain suit depending  
13 in the Circuit Court of Lee wherein the  
14 said E. L. Maness is plaintiff and R. B. Maness  
15 is defendant.

16 Present for the plaintiff, J. C. Noel atty.  
17 B. Bluseman a witness of lawful age being  
18 duly sworn, deposes and saith as follows:

Question (1) State your age residence, and occupation.

Ans 19 I am 63 years old, my residence is Lee  
20 county, and am a coal miner by occupation.

Question (2) ~~I am acquainted~~ Are you acquainted with  
21 R. B. Maness the defendant in this suit?

Ans 22 I am.

Ques. 3 23 Within the last five years, and since her  
24 marriage with E. L. Maness, has she had  
25 carnal knowledge with the body of any man  
26 other than her lawful husband, E. L. Maness?

Ans 27 She has. In December 1898, she gave birth  
28 to a child which could not possibly have been  
29 sired by her husband E. L. Maness. ~~as~~ as she and  
30 her husband had been a-part nearly two years  
31  
32



1 during which time they could not have  
2 cohabited together, and did not so cohabit.

Question 4) What is her reputation for chastity and virtue?  
Ans. She is a notorious prostitute.

Does 5- Has E. L. Maness cohabited with her since  
6 she gave birth to the child you speak of?

Ans. I do not think it possible for him to have  
7 cohabited with her, as he has not lived with  
8 her since, and in fact <sup>they</sup> have lived from  
9 50 to 90 miles apart ever since.

11 And further this defendant says not.

12 B. B. Maness

13 E. L. Maness another witness of lawful  
14 age being duly sworn deposed as follows:

15 I am the husband of R. B. Maness and  
16 the plaintiff in this suit. I am now and  
17 was at the commencement of this suit; and had  
18 been for the twelvemonth next preceding the  
19 institution of said suit a citizen of this State  
20 and Lee County, I have not since I learned  
21 of her adultery, cohabited with the said R. B.  
22 Maness, nor was her said adultery committed  
23 with my connivance or consent. I have been  
24 parted from her about three years, and  
25 during all that time I have not known  
26 her carnally, nor have I even seen her.  
27 And if she has given birth to a child as  
28 the witness has testified, it could not have  
29 possibly have been sired by me.

30 And further this defendant says not.

31 E. L. Maness



I J. F. Skaggs a Justice of the Peace  
in and for the County of Lee and State of  
Virginia do hereby certify that the foregoing  
depositions of B. Bluseman and E. L. Monro  
were duly taken, sworn to ~~and~~ and  
subscribed before me at the time mentioned  
therein and in the caption thereto. I am  
witness whereof I have set my hand  
and seal on this 23 day of February 1900.  
J. F. Skaggs J. P. Seal



E. L. Maness  
vs Depositions  
R. B. Maness

Received from J. L.  
Noel sealed and in  
good condition and  
filed March 5<sup>th</sup> 1900  
A. B. Munsey Clerk



In the Clerk's Office of the Circuit Court of the County of  
Lee on the 18<sup>th</sup> day of December 1899.

against E. L. Maness

Plaintiff

In Chancery

R. B. Maness

Defendant

The object of this suit is to obtain a divorce a Vinculo matrimonii dissolving the bonds of matrimony heretofore contracted and now existing between the plaintiff and the defendant

And an affidavit having been made and filed that the defendant

R. B. Maness

is <sup>a</sup> not resident of the State of Virginia, it is ordered that She do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof, be published once a week for four weeks in the South-West Virginian, and that a copy be posted at the front door of the court-house of this County on the first day of the next term of the Circuit Court.

A copy—Teste:

J. C. Hall

p. q.

A. B. Munsey

Clerk.



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*E. L. Maness*

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vs. }

ORDER OF  
PUBLICATION.

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*R. B. Maness*

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Virginia Lee County to wit  
I A B Munsey Clerk  
of the Circuit Court for  
Lee County, do hereby  
certify that I posted a  
copy of the within at  
the front door of the  
Court house of Lee Co  
on the first day of the  
County Court of Lee Co  
at the December term  
1899. This Decr 18<sup>th</sup>  
1899.

*A B Munsey Clerk*



In the Clerk's Office of the Circuit Court of the County of  
*Lee*

against *E. L. Maness*

Plaintiff

*In Chancery*

*R. B. Maness*

Defendant

This day *J. C. Noel* personally appeared  
before me, *A. B. Munsey* Clerk of the said Court,  
and being duly sworn, made oath that *R. B. Maness*

defendant in the said suit ~~is~~ not a resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this *18th* day of *December*  
*1899.*

*A. B. Munsey Clerk*



E. L. Maners

US. { AFFIDAVIT FOR ORDER  
OF  
PUBLICATION.

R. B. Maners

J. L. Hall p. q.

filed Dec 18th 1899  
A. B. Munsey Clerk



CERTIFICATE OF  
ORDER OF PUBLICATION.

I, A. M. Goins, Editor of the **SOUTH-  
WEST VIRGINIAN**, a weekly newspa-  
per published at Jonesville, Lee County,  
Va., do hereby certify that the annex-  
ed notice was published in said paper  
once a week for four successive weeks,

commencing on the 4<sup>th</sup> day of

January, 1900.

A. M. Goins, EDITOR.

FEE,

\$ 5.00.

Order of Publication.

VIRGINIA—In the Clerk's Office of the  
Circuit Court of the County of Lee on  
the 18th day of December, 1899.

E. L. MANESS, Plff. }  
                                  against } In Chancery.  
R. B. MANESS, Dft. }

The object of this suit is to obtain a di-  
vorce a Vinculo Matrimonii dissolving the  
bonds of matrimony heretofore contracted  
and now existing between the plaintiff and  
the defendant.

And an affidavit having been made and  
filed that the defendant, R. B. Maness, is  
not a resident of the State of Virginia, it  
is ordered that she do appear here within  
fifteen days after due publication hereof,  
and do what may be necessary to protect  
her interest in this suit. And it is further  
ordered that a copy hereof, be published  
once a week for four weeks in the South-  
west Virginian, and that a copy be posted  
at the front door of the court-house of this  
County on the first day of the next term of  
the County Court. A copy—Teste:

A. B. MUNTEY, Clerk.

J. C. Noel, p. q.

jan4 4t 00



ORDER OF PUBLICATION.

E. L. Maness, Plff.

VS.

IN CHANCERY.

R. B. Maness, Deft

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FEE

\$5-00

Rec'd payment  
of the within order  
of publication, this March,  
1900. H. M. Lewis.